

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Rachel Ellman	Team: Squad #8	CCRB Case #: 201708778	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 07/28/2017 7:45 PM	Location of Incident: § 87(2)(b)	Precinct: 45	18 Mo. SOL 1/28/2019	EO SOL 1/28/2019	
Date/Time CV Reported Fri, 08/04/2017 1:22 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 08/04/2017 1:22 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POF Mary Dickson	17948	958506	045 PCT
2. POM James Biondo	25292	936208	045 PCT
3. POM James Olson	26339	946078	045 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POF Cynthia Pezua	16818	957954	045 PCT
2. POF Wendy Guerra	05975	944621	045 PCT
3. POM Arianit Matoshi	18043	958890	045 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM James Olson	Abuse: Police Officer James Olson threatened to arrest § 87(2)(b)	§ 87(2)(b)
B.POM James Biondo	Discourtesy: Police Officer James Biondo spoke discourteously to § 87(2)(b)	§ 87(2)(b)
C.POM James Olson	Abuse: Police Officer James Olson forcibly removed § 87(2)(b) to the hospital	§ 87(2)(b)
D.POM James Biondo	Abuse: Police Officer James Biondo forcibly removed § 87(2)(b) to the hospital	§ 87(2)(b)
E.POM James Olson	Force: Police Officer James Olson used physical force against § 87(2)(b)	§ 87(2)(b)
F.POM James Biondo	Force: Police Officer James Biondo used physical force against § 87(2)(b)	§ 87(2)(b)
G.POF Mary Dickson	Force: Police Officer Mary Dickson tightly handcuffed § 87(2)(b)	§ 87(2)(b)
H.POF Mary Dickson	Discourtesy: Police Officer Mary Dickson spoke discourteously to § 87(2)(b)	§ 87(2)(b)
I.POM James Biondo	Abuse: Police Officer James Biondo refused to provide his name to § 87(2)(b)	§ 87(2)(b)

Officer(s)	Allegation	Investigator Recommendation
J.POM James Olson	Abuse: Police Officer James Olson refused to provide his name to § 87(2)(b)	
K.POF Mary Dickson	Abuse: Police Officer Mary Dickson refused to provide her name to § 87(2)(b)	
§ 87(4-b), § 87(2)(g)		
§ 87(4-b), § 87(2)(g)		

### Case Summary

On July 28, 2017, at 7:35 p.m., § 87(2)(b) called 911 from her apartment at § 87(2)(b) in the Bronx, and stated she had been assaulted inside the apartment. PO James Olson and PO James Biondo, both of the 45<sup>th</sup> Precinct, responded to the location. § 87(2)(b) explained to the officers that § 87(2)(b) her daughter's father, had assaulted her. PO Olson disregarded § 87(2)(b)'s concern, and § 87(2)(b) grew angry. PO Olson then allegedly told § 87(2)(b) that she was "'this close' to being arrested." (**Allegation A—Abuse of Authority: Threat of arrest;** § 87(2)(g)) Shortly thereafter, PO Biondo allegedly started to make comments about § 87(2)(b)'s weight, and told her she should go eat fast food. (**Allegation B—Discourtesy: Word;** § 87(2)(g)) PO Olson and PO Biondo called for EMS to remove § 87(2)(b) as an EDP and handcuffed her (**Allegations C, D—Abuse of Authority: Forcible removal to hospital;** § 87(2)(g)), during which PO Olson and PO Biondo allegedly tackled her to the ground (**Allegations E, F—Force: Physical force;** § 87(2)(g)) PO Mary Dickson, a responding officer from the 45<sup>th</sup> Precinct, stood with § 87(2)(b) after she was handcuffed. § 87(2)(b) stated that she was in pain from the handcuffs, and PO Dickson then allegedly tightened § 87(2)(b)'s handcuffs. (**Allegation G—Force: Handcuffs;** § 87(2)(g)) Minutes later, § 87(2)(b) unintentionally stepped on PO Dickson's foot, to which PO Dickson allegedly responded "Don't fucking mess with me." (**Allegation H—Discourtesy: Word;** § 87(2)(g)) § 87(2)(b), § 87(2)(b)'s mother, then asked PO Olson, PO Biondo, and PO Dickson for their names, and the officers allegedly ignored her. (**Allegations I, J, K—Abuse of Authority: Refusal to provide name;** § 87(2)(g)) PO Wendy Guerra, PO Arianit Matoshi, and PO Cynthia Pezua, all of the 45<sup>th</sup> Precinct, also responded to this event.

FDNY EMTs § 87(2)(b) and § 87(2)(b) transported § 87(2)(b) to § 87(2)(b) during which she refused to provide her name or date of birth. § 87(2)(b) was received at § 87(2)(b) under an alias. § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

There is no video for this incident.

§ 87(4-b), § 87(2)(g)

§ 87(4-b), § 87(2)(g)

### **Findings and Recommendations**

#### **Allegation A—Abuse of Authority: Police Officer James Olson threatened to arrest § 87(2)(b)**

#### **Allegation B—Discourtesy: Police Officer James Biondo spoke discourteously to § 87(2)(b)**

§ 87(2)(b) called 911 to report that § 87(2)(b) her daughter's father, had assaulted her. § 87(2)(b) told the 911 operator that § 87(2)(b) strangled her and threw her to the ground, and that he did not have visitation rights for their child. PO Olson and PO Biondo arrived at the location shortly thereafter, at which point § 87(2)(b) told the officers that § 87(2)(b) had thrown her to the ground and was trying to take their daughter, § 87(2)(b) for an outing. § 87(2)(b) further informed the officers that § 87(2)(b) did not have custody of § 87(2)(b) and that he was unfit to take her out of the house because he was heavily intoxicated. § 87(2)(b) asked, "What if he gets into an altercation because he is drunk?" to which PO Biondo responded, "Well, what if the sky falls down tomorrow?" § 87(2)(b) said, "Are you crazy?" in response to PO Biondo, and PO Olson replied, "You're 'this close' to being arrested." § 87(2)(b) did not mention comments on her weight during her in-person interview, but on the phone stated that PO Biondo made rude comments about her weight, but did not specify these comments (Board Review 01)

§ 87(2)(b) recalled PO Olson and PO Biondo laughing in response to § 87(2)(b) telling them that § 87(2)(b) was drunk and had assaulted her. § 87(2)(b) expressed her fear that something bad could happen if § 87(2)(b) took § 87(2)(b) out of the home while intoxicated, to which PO Olson said, "So what if the sky falls?" PO Biondo was continuously making fun of § 87(2)(b)'s weight, and § 87(2)(b) recalled PO Biondo saying things to § 87(2)(b) to the effect of, "Go eat another Twinkie" or "Go to McDonald's." § 87(2)(b) did not allege that PO Olson threatened to arrest § 87(2)(b) (Board Review 02)

PO Olson recalled § 87(2)(b) incoherently screaming immediately upon allowing the officers into the apartment; § 87(2)(b) did not claim that she was assaulted in this time, nor did she provide the officers with an alternative narrative as to why she was upset. PO Olson went to the kitchen to speak with § 87(2)(b) shortly after his arrival, and as such only briefly spoke with § 87(2)(b) upon entry. PO Olson stated § 87(2)(b) was never suspected of anything criminal, and that he never told her that she could or would be arrested. PO Olson had no recollection of any conversation regarding § 87(2)(b)'s weight. (Board Review 03)

PO Biondo also recalled arriving to § 87(2)(b) screaming incoherently, and stated he was unable to discern what § 87(2)(b) was upset about because she was speaking so frantically. PO Biondo primarily stood with § 87(2)(b) and § 87(2)(b) by the couch in the living room, and thus did not converse much with § 87(2)(b). PO Biondo recalled no conversation about § 87(2)(b) possibly being arrested, nor did he recall PO Olson ever threatening § 87(2)(b) with arrest. PO Biondo stated he did not recall any conversation at the location about how § 87(2)(b)'s medication affects her weight, any conversation about fast food, or any conversation about her weight at all. Prior to stating the aforementioned, PO Biondo described § 87(2)(b) as "heavysset." PO Biondo used "heavysset" as the

differentiating characteristic for § 87(2)(b) when asked to describe the relationship between members of the § 87(2)(b) family. (Board Review 04)

Neither PO Dickson, PO Matoshi, PO Pezua, PO Guerra, EMT § 87(2)(b) nor EMT § 87(2)(b) were at the location at this time. Further, § 87(2)(b) did not consent to § 87(2)(b) a minor, participating in the investigation, and the investigation was unable to locate § 87(2)(b). As such, there are no additional witnesses to these allegations.

§ 87(2)(g)

§ 87(2)(g)

**Allegation C—Abuse of Authority: Police Officer James Olson forcibly removed § 87(2)(b) to the hospital**

**Allegation D—Abuse of Authority: Police Officer James Biondo forcibly removed § 87(2)(b) to the hospital**

**Allegation E—Force: Police Officer James Olson used physical force against § 87(2)(b)**

**Allegation F—Force: Police Officer James Biondo used physical force against § 87(2)(b)**

In 911 audio, § 87(2)(b) repeatedly tells the operator that she was strangled and thrown to the ground by § 87(2)(b) who she describes as her daughter's father. § 87(2)(b) tells the operator that § 87(2)(b) is heavily inebriated and attempting to take their daughter out of the house, despite having no visitation rights. § 87(2)(b) emphasizes that § 87(2)(b) is drunk and does not have custody, and tells the operator that § 87(2)(b) is still at the location, and had previously been incarcerated. (Board Review 05)

In police radio communication, the operator states the job concerns a "Female was strangled by male intox." (Board Review 06) In the resulting event documentation, it is noted that the female caller § 87(2)(b) was strangled by a man who is still in her apartment. At 7:37:56p.m., the narrative states that § 87(2)(b) hurt her leg and chest. The job is listed as a 10-34Q1, assault in progress. At 7:38:42, Sector E (PO Olson and PO Biondo) arrive at the location. At 7:46 p.m., Sector E requests EMS for an EDP. EMS arrived at 7:58 p.m., and at 8:11 p.m., § 87(2)(b) is escorted to § 87(2)(b). At 8:52 p.m., Sector E marks the job as an EDP, not a 10-34 assault. (Board Review 07)

The Ambulance Call Report, prepared by EMT § 87(2)(b) states: “Approximately § 87(2)(b) old female found standing ambulatory in home. Patient is uncooperative and aggressive with EMS and NYPD. Patient is yelling and insulting EMS and NYPD. Patient escorted out of home by NYPD to ambulance. Patient refuses to give name or date of birth. Patient alert. Pupils pearl. Patient airway. L/S clear bilateral. Patient is a paranoid EDP, patient states mother is trying to steal her \$15,000 in her hand bag. Patient family states patient has been erratic and aggressive recently. Patient states she has psychiatric history, refuses to specify. Patient repeatedly yelled – ‘I don’t care if the cops shoot me.’ Patient refused stair chair, stretcher and vital signs. Patient transported to § 87(2)(b) with PD escort. Transport went without incident.” The ACR is signed by a receiving nurse at § 87(2)(b) (Board Review 08)

Hospital records could not be obtained for this incident. Though all parties—civilians, EMTs, officers—agreed that § 87(2)(b) was taken to § 87(2)(b) as a psychiatric patient, there is no documentation of her stay at § 87(2)(b) on July 28, 2017 under either her legal name or the alias used by EMS, “§ 87(2)(b).” Per § 87(2)(b)’s narrative, she was in the hospital for multiple days, and EMT § 87(2)(b) also indicated that he believed § 87(2)(b) would be admitted as a psychiatric patient. The investigation confirmed that the nurse listed on the ACR does work at § 87(2)(b) but could not retrieve the records based on her involvement. PO Olson and PO Biondo did not prepare an Aided report for § 87(2)(b) so medical documentation is limited to the ACR.

§ 87(2)(b) stated she called 911 after being assaulted by her daughter’s father, § 87(2)(b). When PO Olson and PO Biondo arrived minutes later, § 87(2)(b) told the officers that § 87(2)(b) was heavily intoxicated, that he had previously assaulted her, and that he was trying to take § 87(2)(b) 15, out of the home, despite not having custody of her. § 87(2)(b) emphasized to the officers that § 87(2)(b) was visibly intoxicated, and expressed fear that something bad would happen to § 87(2)(b) while in § 87(2)(b)’s care. PO Biondo told § 87(2)(b) that § 87(2)(b) was permitted to take § 87(2)(b) out of the house while drunk, so long as he was not driving. § 87(2)(b) repeatedly called attention to § 87(2)(b)’s visible drunkenness and exclaimed that § 87(2)(b) could endanger their child, yet PO Olson and PO Biondo paid her no mind. Suddenly, PO Olson and PO Biondo converged on § 87(2)(b) tackled her, and handcuffed her while she was on her stomach; § 87(2)(b) stated PO Dickson, PO Pezua, and PO Guerra had already arrived at this time, and were all involved in bringing her to the ground.

§ 87(2)(b) recalled PO Olson and PO Biondo laughing at § 87(2)(b) when she told the officers that § 87(2)(b) was drunk and had pushed her to the ground. § 87(2)(b) defended § 87(2)(b) and told the officers that § 87(2)(b) has full custody of § 87(2)(b) that § 87(2)(b) did not have visitation rights, and that § 87(2)(b) had been incarcerated as recently as § 87(2)(b). Officers ignored § 87(2)(b) too. § 87(2)(b) then pulled PO Olson into the kitchen, where she told him that § 87(2)(b) took prescription medication. PO Olson responded, “I know.” § 87(2)(b) emphasized that § 87(2)(b) was on legal medication for a thyroid disorder and other medical issues, and stated that these medications interacting might be making § 87(2)(b) anxious. § 87(2)(b) again told PO Olson that § 87(2)(b) was extremely intoxicated, and

stated that she did not believe that § 87(2)(b) was manic, but rather upset that the officers ignored her complaint against § 87(2)(b). PO Olson did not ask any questions about § 87(2)(b)'s psychiatric history, nor did he ask any questions of § 87(2)(b). After speaking with PO Olson in the kitchen, § 87(2)(b) reentered the living room, where § 87(2)(b) was arguing with the officers. Amidst a back-and-forth, PO Olson and PO Biondo suddenly approached § 87(2)(b), threw her to the ground, placed her on her stomach, and handcuffed her.

Multiple contact attempts were placed to § 87(2)(b) who could not be reached.

PO Olson recalled this job coming over as an assault-in-progress, and believed that the individual assaulted was the female caller. § 87(2)(b) opened the door for PO Olson and PO Biondo and began yelling at them. PO Olson could not recall the substance of what § 87(2)(b) was yelling, and stated he had no recollection of § 87(2)(b) alleging that she was assaulted by § 87(2)(b) nor making any other complaints about § 87(2)(b). PO Olson asked § 87(2)(b) what had happened before, but stated § 87(2)(b) was quiet and seemingly did not want to speak. § 87(2)(b) had bloodshot eyes, and appeared as though he had a few drinks but was largely coherent. PO Olson never learned § 87(2)(b)'s relation to the § 87(2)(b). PO Olson then spoke in the kitchen with § 87(2)(b) where she told him that § 87(2)(b) should be taken to the hospital to get her psychiatric medication changed. PO Olson recalled § 87(2)(b) telling him that § 87(2)(b) takes numerous medications for diagnosed mental illnesses, and that she believed these medicines were causing § 87(2)(b) to act erratically. From this information and from the yelling he witnessed, PO Olson determined that § 87(2)(b) would be removed as an EDP. PO Olson had no direct conversation with § 87(2)(b) about her mental health history or medications prior to making this decision, nor did he conduct any investigation of the alleged assault. PO Olson described § 87(2)(b) as “irate” at this time, but said she never flailed her arms or did anything else with her body that seemed violent, nor did she ever verbally threaten anyone present. PO Olson returned to the living room and told PO Biondo that § 87(2)(b) would be handcuffed and removed as an EDP; PO Olson stated in his CCRB interview that all EDPs are handcuffed for the officers’ safety, and that he did not believe § 87(2)(b) would leave the location voluntarily based on her general screaming. PO Olson and PO Biondo then handcuffed § 87(2)(b) without incident; PO Olson stated § 87(2)(b) was standing when handcuffed, recalled no physical difficulties getting § 87(2)(b) into handcuffs, and denied ever throwing § 87(2)(b) to the ground.

PO Biondo also recalled this job coming over as an assault-in-progress. Upon entering the apartment, § 87(2)(b) was “screaming at the top of her lungs,” such that PO Biondo was unable to make out what she was saying. PO Olson went into the kitchen to speak with § 87(2)(b) and § 87(2)(b) while PO Biondo remained in the living room with § 87(2)(b) and § 87(2)(b). PO Biondo waited in the living room for approximately five minutes, during which he did not speak with either § 87(2)(b) or § 87(2)(b). When PO Olson returned from the kitchen, he told PO Biondo that § 87(2)(b) would be removed as an EDP based on the conversation he had with § 87(2)(b). PO Biondo believed § 87(2)(b) told PO Olson that § 87(2)(b) was not taking her prescribed psychiatric medication. When the decision was made, § 87(2)(b) had not done or said anything that could have been construed as threatening or violent. PO Biondo described § 87(2)(b) as a

“calm crazy person” who was “moving all around in a crazy circle,” “throwing her hands up,” and screaming, but did nothing violent. However, when asked if § 87(2)(b) was thought to be dangerous, PO Biondo replied, “of course [she could have been dangerous]. I don’t know if she is going to hurt herself.” PO Biondo and PO Olson then handcuffed § 87(2)(b) as she was standing, and encountered no difficulty getting her into handcuffs. After § 87(2)(b) was handcuffed, PO Biondo held her by the arm. § 87(2)(b) was moving her arms and did not want PO Biondo to be holding her. PO Biondo stated he was holding § 87(2)(b) because she could “run into the bedroom, next thing you know the door is locked and she’s hurting herself.” PO Biondo stated it did not seem as though § 87(2)(b) was trying to leave the location, just that she did not want the officer to hold her. PO Biondo believed officers did not need to consult with a supervisor when determining whether to remove someone as an EDP, and that officers, not EMTs, have final discretion as to whether or not someone will be removed to a hospital. PO Biondo stated, “once EMS comes and a police officer says it’s an EDP, EMS cannot say no.” When prompted, PO Biondo did recall § 87(2)(b) saying § 87(2)(b) had assaulted her, and that he was heavily intoxicated at the time. PO Biondo recalled that § 87(2)(b) was upset that § 87(2)(b) intended to take their daughter on an outing while he was intoxicated, but stated in his CCRB interview that it is “not against the law to be drunk.” PO Biondo never spoke with § 87(2)(b) about the alleged assault because “she is implicating him, [so] why would I talk to the guy?” and believed he did not need to investigate the assault because § 87(2)(b) was an EDP. PO Biondo stated he and PO Olson did not need to investigate the custody arrangement based on the “feeling” they got, as § 87(2)(b) was simply sitting on the couch, and was not yelling or screaming, like § 87(2)(b).

Per their statements, neither PO Dickson, PO Matoshi, PO Pezua, PO Guerra, EMT § 87(2)(b) nor EMT § 87(2)(b) were present when PO Olson and PO Biondo apprehended § 87(2)(b). In the time after § 87(2)(b) was handcuffed, PO Dickson recalled § 87(2)(b) walking around the apartment saying § 87(2)(b) had mental health problems, but did not recall § 87(2)(b) being at all violent or threatening. (Board Review 08) Similarly, PO Guerra recalled that § 87(2)(b) was erratically screaming such that it was difficult to understand what she was saying. PO Guerra described § 87(2)(b) as acting “irrational,” but did not see § 87(2)(b) do anything violent or threatening at the location. (Board Review 09)

EMT § 87(2)(b) recalled § 87(2)(b) as “hysterical” and “manic” during his time at the location. EMT § 87(2)(b) described § 87(2)(b) as “paranoid,” and recalled a dispute between § 87(2)(b) and § 87(2)(b) regarding a large sum of cash in a handbag. EMT § 87(2)(b) did not recall speaking with NYPD officers about what happened prior to his arrival. (Board Review 10)

EMT § 87(2)(b) did not recall § 87(2)(b) claiming to have been strangled or assaulted in any capacity. EMT § 87(2)(b) recalled § 87(2)(b) as “verbally confrontational,” “erratic,” and “agitated,” but not violent. Further, he recalled no individual present speaking about § 87(2)(b) as dangerous or threatening. (Board Review 11)



Per Patrol Guide procedure 221-13, mentally ill or emotionally disturbed persons: (Board Review 17; emphasis NYPD)

Scope

- Physical force will be used **ONLY** to the extent necessary to restrain the subject until delivered to a hospital
- If an EDP is not immediately dangerous, the person should be contained until assistance comes

Definition:

- Emotionally Disturbed Person (EDP): A person who appears to be mentally ill or temporarily deranged and is conducting himself in a manner which a police officer reasonably believes is likely to result in serious injury to himself or others.

Procedure

- When a uniformed member of the service reasonably believes that a person who is apparently mentally ill or emotionally disturbed, must be taken into protective custody because the person is conducting himself in a manner likely to result in a serious injury to himself or others
  1. Upon arrival at scene, assess situation as to threat of immediate serious physical injury to EDP
    - a. [I]f EDP's actions do not constitute an immediate threat of serious physical injury or death to himself or others:
      1. Attempt to isolate and contain the EDP
      2. Do not attempt to take EDP into custody without the specific direction of a supervisor
  2. Request ambulance, if one has not already been dispatched.
    - a. Ascertain if patrol supervisor is responding, and, if not, request response.

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g) [Redacted]  
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§ 87(2)(g) [Redacted]  
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**Allegation G—Force: Police Officer Mary Dickson tightly handcuffed** § 87(2)(b) [Redacted]

**Allegation H—Discourtesy: Police Officer Mary Dickson spoke discourteously to § 87(2)(b)**

After § 87(2)(b) was handcuffed, she stood beside PO Dickson. § 87(2)(b) stated she complained about the handcuffs hurting her, at which point PO Dickson tightened § 87(2)(b)'s handcuffs. Shortly thereafter, an officer brushed by § 87(2)(b) causing her to move away such that she inadvertently stepped on PO Dickson's foot. PO Dickson then stated said to § 87(2)(b) "Are you trying to hurt me?" and again tightened her handcuffs.

§ 87(2)(b) stated that § 87(2)(b) was stood up off the ground after she was handcuffed, and in the process inadvertently stepped on PO Dickson's foot. PO Dickson responded and said, "Don't fucking mess with me," and tightened § 87(2)(b)'s handcuffs.

§ 87(2)(b)'s ACR gives no indication she sustained a particular injury to her wrists.

PO Dickson did recall that § 87(2)(b) stepped on her foot, and stated it happened as § 87(2)(b) was moving erratically about the apartment. PO Dickson stated she did not yell at § 87(2)(b) in response, nor did she curse at her. PO Dickson could not recall if she ever adjusted § 87(2)(b)'s handcuffs, and stated she had no recollection of § 87(2)(b) ever complaining about her handcuffs being too tight.

PO Guerra stated she recalled PO Dickson exclaiming in pain, but did not know what this was in reference to. PO Guerra did not recall § 87(2)(b) make any complaints about her handcuffs, nor did she see any officer adjusting § 87(2)(b)'s handcuffs.

Neither PO Olson nor PO Biondo recalled such an incident.

§ 87(2)(g)  
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**Allegation I—Abuse of Authority: Police Officer James Biondo refused to provide his name to § 87(2)(b)**

**Allegation J—Abuse of Authority: Police Officer James Olson refused to provide his name to § 87(2)(b)**

**Allegation K—Abuse of Authority: Police Officer Mary Dickson refused to provide her name to § 87(2)(b)**

§ 87(2)(b) stated she asked PO Olson, PO Biondo, and PO Dickson for their names in the time period immediately before and after § 87(2)(b) was handcuffed. § 87(2)(b) stated all three officers ignored her, but recalled that one officer had an Italian-sounding surname that starts with a B.

Neither PO Olson nor PO Dickson recall any members of the § 87(2)(b) family asking for their names.

PO Biondo stated § 87(2)(b) repeatedly asked for PO Biondo's name, which he stated he provided numerous times. PO Biondo did not recall § 87(2)(b) asking him or any other officers for their names.

§ 87(2)(g)

§ 87(2)(g)

§ 87(4-b), § 87(2)(g)

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§ 87(4-b), § 87(2)(g)

### Civilian and Officer CCRB Histories

- § 87(2)(b)  
§ 87(2)(b)
  - § 87(2)(b)  
§ 87(2)(b)
- PO Olson has been a member-of-service for ten years and this is the first CCRB complaint in which he has been a subject. (Board Review 12)
- PO Biondo has been a member of service for 13 years, and has been a subject of eight CCRB cases and 19 CCRB allegations, none of which were substantiated. (Board Review 13)
  - § 87(2)(g)  
§ 87(2)(g)  
§ 87(2)(b)  
§ 87(2)(b)  
In 201609559, a man called 911 because his roommate was drunk and aggressive, and alleged that PO Biondo ignored the man's safety concerns, and threatened to arrest the man and call ACS on him. This complaint was ultimately withdrawn after PO Biondo refused to mediate the case. In 201710519, which truncated, a woman alleged that she approached PO Biondo to file a report about a man who had recently hit her, to which PO Biondo handcuffed her and removed her to the hospital for intoxication.
- PO Dickson has been a member-of-service for two years and this is the first CCRB complaint in which she has been a subject. (Board Review 14)

### Mediation, Civil and Criminal Histories

- § 87(2)(b) declined mediation.
- § 87(2)(b) did not file a Notice of Claim with the City of New York in regards to this incident. (Board Review 15)
- § 87(2)(b) has no history of convictions in New York City. (Board Review 20)

Squad No.: 8

Investigator: \_\_\_\_\_  
Signature Print Title & Name Date

Squad Leader: \_\_\_\_\_  
Signature Print Title & Name Date

Reviewer:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Title & Name

\_\_\_\_\_  
Date